

IN THE CLAIMS:

1. (previously presented) A sink comprising:

a basin; and

a faucet assembly comprising a discharge neck coupled to a faucet housing, the faucet housing movably supported on the basin and selectively rotatable between an upright position wherein at least a portion of the discharge neck protrudes out from the basin such that in operation the discharge neck discharges a stream of water receivable in the basin, and a folded position wherein the faucet assembly is received within the basin for storage.

2. (previously presented) The sink of claim 1, wherein the faucet assembly includes a flow control valve.

3. (previously presented) The sink of claim 1, wherein the basin has a top portion which defines a plane and wherein the faucet assembly is located completely below the plane when in the folded position.

4. (previously presented) The sink of claim 1, wherein the faucet housing includes a pivot detent that is in contact engagement with an interior surface of the basin when the faucet assembly is in the upright position.

5. (previously presented) The sink of claim 1, wherein the basin further comprises a retainer that releasably retains the faucet assembly in the folded position.

6. (canceled).

7. (canceled).

8. (canceled).

9. (previously presented) A sink comprising:
a basin;
a faucet assembly attached to the basin, the faucet assembly including:
a discharge neck.,
a handle for controlling liquid flow through the discharge neck, and
a faucet housing supporting the discharge neck on the basin; and
a mounting means for pivotally coupling the faucet housing to the basin such that
the faucet assembly may be pivoted through an angle of approximately ninety degrees about a
horizontal axis defined by the mounting means.

10. (previously presented) The sink of claim 9, wherein the basin includes a drain.

11. (previously presented) The sink of claim 9, wherein the basin includes a retainer
for releasably retaining the faucet assembly in the folded position.

12. (previously presented) The sink of claim 11, wherein the retainer comprises one
or more detents on the faucet housing.

13. (previously presented) The sink of claim 9, further comprising a flow control
valve supported in the faucet housing.

14. (previously presented) The sink of claim 13, wherein the flow control valve
comprises a connector for receiving the discharge neck.

15. (previously presented) The sink of claim 14, wherein the connector allows the
discharge neck to rotate about a vertical axis.

16. (previously presented) The sink of claim 9, further comprising a conduit for
supplying liquid to the faucet housing.

17. (previously presented) The sink of claim 9, wherein the faucet assembly may be pivoted between an upright position in which at least a portion of the discharge neck protrudes from the basin and a folded position in which the faucet assembly is below a plane defined by a top surface of the basin.

18. (previously presented) The sink of claim 9, wherein the mounting means comprises a bushing received within an enclosure in the basin.

19. (previously presented) The sink of claim 9, wherein the mounting means comprises a peg received within an enclosure in the basin.

20. (previously presented) The sink of claim 19, wherein the peg is retained within the enclosure by a spring.

RESPONSE

This paper is filed in response to Official Office Action dated March 30, 2004. Entrance of the above Amendment in consideration of this Response is earnestly solicited. This case was assigned to Today's Gear, Inc. (Reel 015035/Frame 0016). The undersigned's Power of Attorney was filed on 8 September 2004.

I. OBJECTIONS

Initially, the drawings were objected to for not showing every feature of the invention specified in the claims. In claim 12, the retainer comprising one or more detents is shown as reference 117 in FIG. 5 and detailed on Page 9 of the specification [0037]. In claim 20, the spring is shown as 152 in FIG. 3(a) and detailed on Page 8 of the specification [0034].

The specification was objected to for failing to provide antecedent basis for the claimed subject matter. The "means for supporting" as recited in claim 6 is shown as housing 116 shown in Figs. 3(a) and 3(b) and detailed on Page 6 [0031] of the specification. The "a mounting means" as cited in claim 9 is shown as reference 121 in FIG. 3(b) and detailed on Page 6 of the specification [0032]. "[T]he retainer comprises one or more detents for retaining the faucet assembly in the folded position" as cited in claim 12 is shown as reference 113 in FIG. 5 and detailed on Page 9 of the specification [0037].

Claims 4, 15, and 18 through 20 were noted to be allowable as rewritten in independent form. Applicant respectfully thanks the Examiner for this noted allowance. However, the base claims are allowable in view of the following arguments.

I. PRIOR ART MATTERS

A. The Office Action rejected claims 1-3, 5-11, 13, 16 and 17 under 35 USC 102(b) as being anticipated by Polakoff et al. Applicant respectfully traverses this rejection.

Claims 1 through 3, 5 through 11, 13, 16, and 17, were rejected as being anticipated by Polakoff et al. (449,430).

A single prior art reference anticipates a claimed invention only if it discloses each and every claim element.¹

In claim 1, the faucet assembly is described to include discharged neck and faucet housing movably supported on the basin. This arrangement and structure is important due to the compact nature of applicant's invention. In Polakoff, the faucet assembly including discharge neck and alleged housing is mounted well above the basin. Further still, Polakoff's faucet assembly does not completely fold into the basin. This is extremely important for applicant's compact sink assembly design. The basin 102 is small and will not allow operation of the sink assembly without rotation of the faucet assembly 108 and its sub-components 112 and 116 to rotate out and above the basin.

Claims 2 through 5 which depend from claim 1 should be allowable in view of these arguments as independent claim 1 is allowable.

Claims 6 through 8 have been cancelled. Remaining claims 9 through 20 should also be allowable as Polakoff does not show that the faucet assembly is attached to the basin but rather is attached to structure well above and out of the basin not providing the compact nature of applicant's invention. Hence, claims 9 through 20 should now be allowable.

¹ *Structural Rubber Prod. Co. v. Park Rubber Co.*, 749 F.2d 707, 223 USPQ 1264 (Fed. Cir. 1984)

II. OTHER MATTERS

A. The Office Action rejected claims 1-9, 11-13, 16 and 17 under the judicially created doctrine of obviousness-type double patenting over claims 1-5 of U.S. Patent Number 6,611,972.

With respect to double patenting, applicant submits a terminal disclaimer with fee check with respect to co-owned U.S. Patent 6,611,972.